

**MINUTES  
YANCEYVILLE TOWN COUNCIL  
January 6, 2015  
7:00 PM**

The meeting of the Town Council was held in the Council Chambers at the Yanceyville Municipal Services Building on January 6<sup>th</sup>, 2015 at 7:00 PM.

**Council members present:** Alvin Foster, Mayor Pro-Tem, Brian Massey, Odessa Gwynn, and Keith Tatum.

**Staff:** Brian Collie, Town Manager, & Lee Farmer, Town Attorney.

**Item 1: Call To Order**

Mayor Pro-Tem Alvin Foster called the meeting to order at 7:00 PM. Meeting opened with silent prayer. He asked all to stand for the pledge of allegiance. The Mayor-Pro Tem also reviewed the statement of Rules and Procedures.

**Item 2: Review and Adoption of Agenda – Mayor Pro-Tem & Council**

After review Mrs. Odessa Gwynn made a motion to approve the agenda. The motion was seconded by Mr. Keith Tatum and passed with a unanimous vote.

**Item 3: Consent Agenda**

Mayor Pro-Tem Foster asked Council to review the minutes from December 2, 2014. After review Mrs. Gwynn made a motion to adopt as presented. The motion was seconded by Mr. Brian Massey and passed with a unanimous vote.

**Item 4: Public Comment**

Ms. Ruby Graves, who resides at 915 Moan Street addressed Council and asked what we can do about the trash all over Town. She said that she has to pick up trash out of her yard every day. She stated that the trash looks bad to visitors and could something be done about this situation or was there anything that she could personally do. She then said maybe the Town should consider putting something in the paper to deter citizens from littering. She then asked if there was anything Council could say or do to prevent this from happening in the future.

## **Item 5: Building Demolitions**

Mayor Pro-Tem presented two (2) demolition proposals that he had received from D.H Griffin Wrecking Co., Inc. for the building located at 198 Court Square and the house located at 97 West Main St. in which Town Council adopted ordinances to demolish on May 6<sup>th</sup>, 2014.

Below are excerpts of the proposals Mayor Pro-Tem Foster presented that include a description of the work to be performed and the price:

*“RE: Building Demolition  
198 Court Square  
Yanceyville, NC*

*Based onsite inspection and verbal descriptions, D. H. Griffin Wrecking Co., Inc. (DHG) proposes the following scope of services:*

- 1. Provide necessary labor, equipment, materials, insurance and permits associated with demolition.*
- 2. Demolish and remove story building with basement to include concrete slabs, foundations and footing within the footprint of the structure. Perimeter foundation walls along Main Street and the Fidelity Bank driveway will be taken down to grade only. Below grade components will remain to prevent undermining and provide earth support. Building foundation along North Avenue will be removed to grade following the change in elevation.*
- 3. Remove and dispose of asbestos containing materials as outlined in MGB 2000 LLC’s report dated 9/11/2014.*
- 4. Materials will be disposed of offsite in accordance with local, state, and federal regulations.*
- 5. Any disturbed areas will be rough graded to existing contours.*
- 6. DHG retains salvage rights to materials under contract.*
- 7. Estimated time of completion – three (3) weeks.*
- 8. Proposal excludes utility disconnection, capping, rerouting, new construction, patching, erosion control, shoring or bracing, backfill, finish grading, seeding, hazardous material removal including USTs, contaminated soil, chemicals, oils, asbestos unless itemized in this proposal.*

*DHG will perform the work listed above for the amount of \$33,600.00.*

*Add Alternate #1 – DHG will provide backfill material to suitable grade and seed for the amount of \$150.00 per tandem load. Material will be compacted using tracked equipment.”*

After referencing the above proposal Mayor Pro-Tem Foster stated that he concluded with a D.H. Griffin representative that with the additional of “Alternate #1” that the total price would be around \$40,000.

*“RE: House Demolition  
97 West Main Street  
Yanceyville, NC*

*Based onsite inspection and verbal descriptions, D. H. Griffin Wrecking Co., Inc. (DHG) proposes the following scope of services:*

- 9. Demolish and remove (2) story house to include foundations and footings.*
- 10. Remove and dispose of asbestos containing materials as outlined in MGB 2000 LLC’s reported dated 9/11/2014.*
- 11. Dispose of materials offsite in accordance with local, state, and federal regulations.*
- 12. Rough grade disturbed areas to existing contours and seed.*
- 13. Any disturbed areas will be rough graded to existing contours.*
- 14. DHG retains salvage rights to materials under contract.*
- 15. Estimated time of completion – one (1) week.*
- 16. Proposal excludes tree or shrub removal unless damaged during demolition, utility disconnection, backfill, hazardous material removed including USTs, oils, Freon, chemicals, tires, asbestos unless itemized in this proposal.*

*DHG will perform the work listed above for the amount of \$17,500.00.”*

After review Mrs. Gwynn asked what the County’s involvement would be. Town Manager, Brian Collie stated that he approached previous Interim County Manager Bob Murphy after the ordinances to demolish were adopted and that he indicated that the County did not have any desire to be involved or help with the demolitions. Mr. Brian Massey asked if there were any legal limitations through N.C. Preservation. Town Attorney Lee Farmer addressed the question with a brief description that explained to Council that it would not be a violation of N.C. Preservations policies based on the conditions and neglect of the two (2) structures.

Mrs. Gwynn commented on how the current owner stripped the building at 198 Court Square and taken most things of value. Mayor Pro-Tem agreed and said that was a direct violation of N.C. Preservations requirements. Mrs. Gwynn asked if Council should go to the media and bring to light the lack of N.C. Preservations involvement in enforcing their requirements.

Mayor Pro-Tem Foster stated that Council needs to understand that we do not have funds budgeted in this fiscal year to go toward demolitions and

that we would have to use monies from “general fund balance”. Mrs. Gwynn asked if we needed to receive bids on the projects. Attorney Farmer stated that we do not legally have to seek bids when seeking an abatement service. Mrs. Gwynn then indicated that even though it’s not required shouldn’t Council seek bids to ensure our citizens that Council did their due diligence. Mr. Keith Tatum stated that he agreed that the Town needed to remove the “Old Ford” building but asked why we would pay to demolish the house on West Main. Mayor Pro-Tem Foster stated because it was located in the Town’s historic district and created an eyesore and safety hazard. Manager Collie asked Fire Chief Vernon Massengill if it was legal for the Fire Department to conduct a controlled burn at the 97 West Main home. Chief Massengill stated that the condition of the home posed too many safety issues for him to allow that to be done and that it has been inspected and has asbestos in which you cannot burn without removal.

Manager Collie stated that he could approach the new County Manager concerning aiding the Town with the cost incurred to demolish the “Old Ford” building. Mrs. Gwynn asked Council if Mr. Collie could draft a formal letter to the County requesting help on the matter. Council and Mr. Collie agreed. Mrs. Gwynn, again asked if Council would consider soliciting bids for the two (2) structures. After further discussion Council and Manager Collie agreed to solicit bids and Manager Collie stated that he could have them available for review and approval at February’s Council meeting.

#### **Item 6: Street Light Additions**

Manager Collie stated that he had attached a cost sheet to install nine (9) more lights around Cole Street and Main Street. Proposing to install seven (7) lights from the Historical building back around to Town Hall building. He stated that the lights would be installed, owned, and maintained by Duke Energy Progress with a minimum ten (10) year contract. He said that two (2) lights will be added on the Historical property and that their fence may need to be removed before we install those two (2) lights but the Historical Preservation Society had budgeted to replace the fence in this budget year, so now is an opportune time to add the additional lights. He then stated that the Town of Yanceyville would need to reseed all property back, and that there would be a construction cost added to bore under the two (2) sidewalks of \$425.86. Mr. Collie stated there would be no other construction cost and the monthly cost for the nine (9) lights would be \$224.19, which is around \$25 for each light. Mr. Collie stated that there would be a ten (10) year contract period with Duke Energy Progress on the new lights. He stated that he thinks it would be a nice aesthetical and safety addition to the street lights the Town already has in place.

Mr. Tatum asked where the funds would come from. Mr. Collie stated that we did not budget for any additional lights in this year's budget but now is the time to agree to the additions due to the fact the Historical Preservation Society is getting ready to replace their fence and that after the new fence was in place they would probably be a lot more reluctant to allow the Town an easement. Mr. Collie also stated that if Council agreed to the additions, that by the time the power company installed and billed for the lights it may only be one (1) to Two (2) months before our fiscal year end and that we could easily adjust the budget for next year.

After review and discussion Mr. Brian Massey made a motion to approve the addition of the nine (9) presented street lights. The motion was seconded by Mr. Keith Tatum and passed with a unanimous vote.

#### **Item 7: LGC Letter Discussion**

Manager Collie presented a letter to Council from the NC Local Government Commission received on November 14<sup>th</sup>, 2014. Manager Collie summarized the letter by saying that after the LGC's review of the Town's financial statements for fiscal year ending June 30<sup>th</sup>, 2014 that they had some concerns regarding the Town's financial operations.

Mr. Collie stated that all Town's/Municipalities in the state having small staff's where few employees wear many hats similar to Yanceyville received a letter from LGC this year. The letter stated that the Town's audited financial statements include a finding for inadequate separation of duties. Mr. Collie stated that the LGC required a written response from the Town on how we intend to address these concerns within 45 days. Mr. Collie stated that he had sent a written response from the Town on November 21<sup>st</sup>. The letter stated that the issue concerning the Town's inadequate segregation of duties is a matter that the Town tries to address in all aspects of maintaining accurate accounting records. When possible the Town Manager and the Mayor review payroll records, bank statements and reconciliations, supporting documentation for checks, journal entries and other supporting financial records to achieve a higher level of control. The letter also stated that the Town Council had discussed the need for another full time position and hope to add an Administrative Assistant/Deputy Town Clerk in next year's budget.

Mayor Pro-Tem Foster stated that it had been briefly discussed by Council and that they should consider adding a full time position for a Deputy Clerk in next year's budget to address these concerns from the LGC. Mr. Tatum commented that does the Town really need another position just because the LGC tells us to.

After further discussion Mayor Pro-Tem Foster asked if Council would think about the idea. Mrs. Gwynn then asked if Mr. Collie could do a time management study of the Town's current employees. Mr. Collie said that he would.

#### **Item 8: Town Manager Report**

Manager Collie read his report as follows. He stated that he believes most already know but the LGC approved the application to start the Fire Department expansion last month. Since then we closed on the construction loan with BB&T and the contractor H.M. Kern has cleared and graded the lot. Mr. Collie said that they are currently working on finishing the footings. He said rain postponed the first scheduled ground breaking photo but he would let Council know when we plan on having it so they can be present. Mr. Collie then asked if Yanceyville Fire Chief Vernon Massengill could elaborate on the progress.

Mr. Massengill approached Council stated that the contractor had finished all of the grading but additional borings had to be done due to the depth of the rear footings bad dirt. He said the footings have been completed and they have stated laying block for the foundation but have been postponed because of rain. Mr. Massengill then presented the two brick colors that the Fire Department and Manager Collie had agreed to use for the building's exterior facade. Mr. Massengill then presented the architects rendering of what the finished product will look like to Council and citizens.

Mr. Collie then stated the waterline project is still going along as planned with hopeful completion the first of February. He said the project engineer anticipates having some leftover contingency funds and we plan on boring a line under Hwy 86 to Carolina Manor Mobile Home Park owned by Chris Mills. This park has had water issues for years and multiple violations from DENR at the state level. Providing them with water will solve those issues and give the residents clean drinkable water.

Mr. Collie said he would like to remind Council that the quarterly joint council meeting with Caswell County and Milton will be held here at the Town's municipal building at 6:00 p.m. on February 12<sup>th</sup>.

Mr. Collie said the Town's water/sewer policy states that a leak adjustment can only be given upon documentation from a licensed plumber. Many people once a leak is found repair the leak themselves and in the past have provided the Town with a receipt of the parts used to repair the leak. He said that he doesn't see this as a problem but I have instructed staff to no longer accept anything other than a receipt, letter, or bill from a licensed plumber showing the leak was fixed because that's

what the policy states. Mr. Collie said that if Council does not agree with this policy then he thinks we should look into amending the policy to allow for other methods to justify there was a leak. After Council agreed that in some cases it was an unneeded burden to force citizens to hire a plumber in order to get a leak adjustment from the Town if they could fix the issue themselves. Mayor Pro-Tem Foster asked Mr. Collie if he could draft the amendment and bring it before Council at the next meeting.

Mr. Collie said that he would like to propose the idea he was given by one of our citizens and start an annual Yanceyville Easter Egg Hunt. He thinks it is a low cost idea that with help from volunteers is a simple way to give back to our community. He said if Council agrees that Yanceyville's Maud Gatewood park would provide a perfect location for such an event.

Mr. Collie informed Council that he will be in class at the School of Government once again this month from January 13<sup>th</sup> thru the 16<sup>th</sup>. He said as always you will find a copy of November's Financial Statement attached with your agenda.

#### **Item 9: Closed Session- Contractual**

Mayor Pro-Tem Foster asked for a motion to go into closed session for contractual reasons. Mrs. Gwynn made a motion to go into closed session. The motion was seconded by Mr. Tatum and passed with a unanimous vote.

After Council came out of closed session chambers Mr. Tatum made a motion to come out of closed session. The motion was seconded by Mr. Massey and passed with a unanimous vote.

Mrs. Odessa Gwynn then made a motion to go back into open session. The motion was seconded by Mr. Brian Massey and passed with a unanimous vote.

#### **Item 10: Informal Discussion/Public Comment**

Mrs. Margie Badgett-Lampkin commented about the amount of street lights out around Town and asked what can be done about it. Mayor Pro-Tem Foster stated that he periodically rides around Town at night and reports the street lights not functioning properly to the power company. He stated that there is a number on each pole and that anyone can call the outages in or call Town Hall with the number.

Mr. Albert Tardy approached Council and asked if the leftover money from the Emergency Water Line project could be used for something more

profitable, like running a water line down Park Springs Rd. Mayor Pro-Tem Foster said that the grant money from the State is only allowed within the pre-approved project boundaries. He stated that the Mobile Home Park we are attempting to provide water to has several water related violations and fines from NCDENR over the past several years and really need a reliable source of water. He then stated that it would help turn over the water at the end of our emergency line which would improve water quality and save the Town money from not having to flush as often.

Mrs. Badgett-Lampkin approached Council again and requested that we should periodically start going back and re-visiting topics that were never resolved.

**Item 11: Adjournment**

After no further discussion Mrs. Gwynn made a motion to adjourn. Mr. Massey seconded the motion which passed with a unanimous vote.

Brian Collie, Town Manager/Clerk, prepared the above minutes. They represent a brief description of those matters that were addressed at this meeting. A detailed account of this meeting is available for review on tape at the Yanceyville Municipal Services Building.

Respectively Submitted:

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Alvin Foster, Mayor Pro Tem

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Brian Collie, Town Clerk